IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 866 OF 2007
IN
WRIT PETITION NO. 2313 OF 2006
WITH
CIVIL APPLICATION NO. 867 OF 2007
IN
WRIT PETITION NO. 2312 OF 2006

The Maharashtra State
of Co-op. Bank Limited ..Petitioner

Vs.

Pratap Narandas ..Respondent

Mr. B.G. Vaidya for petitioner.
Mr. P.K. Dhakephalkar i/by Divyakant Mehta & Associate for respondent.

CORAM: B.H. MARLAPALLE, J.

Date : April 05, 2007.

P.C.:

1. Not on board, mentioned and, therefore, taken on board.

2. Heard Mr. Vaidya the learned counsel for the petitioner-bank. The application prays for extension of time to vacate and hand over the suit premises in terms of the order passed by this court on 5/4/2006. The suit premises admeasure about 2000 sq.ft. and a

branch of the applicant-bank is housed in the same building. The outer limit fixed by this court to vacate and hand over the suit premises is over yesterday and this application has been taken out on the very last day.

3. It has been pointed out that the bank had already signed agreement for sale on 6/7/2006 to purchase an area admeasuring 150 sq.mtrs. or so and though the building is ready, the completion certificate has not yet been received and, therefore, the bank is not able to take possession and occupy the same so as to shift the branch from the suit premises. As per the letter of the Architects engaged by the bank the completion certificate was likely to be received in the first week of April 2007 and it is necessary for the bank officers to ensure that the new premises are occupied at the earliest possible and the suit premisses will have to be vacated and handed over to the landlord and having regards to the letter dated 28/3/2007 issued by Shri Bhupendra Patrawala, Architects, it would be appropriate that the bank is given time to vacate and hand over the suit premises

till 30/4/2007.

4. The Civil Applications are, therefore, partly allowed and it is directed that the suit premises shall be vacated and handed over to the landlord by 30/4/2007.

(B.H. Marlapalle,J.)